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Most Recent Summaries

Criminal Law & Procedure, Sentencing

US v. Mendez, No. 14-1566

Sentence for conviction for participation in a vast conspiracy to provide identification documents to undocumented aliens in the U.S., is vacated and remanded for resentencing where the review of defendant's claims is frustrated by an insufficient explanation from the district court.

Constitutional Law, Government Law, Property Law & Real Estate

Cutting v. City of Portland, No. 14-1421

In a case to determine whether a city ordinance that prohibits standing, sitting, staying, driving, or parking on median strips violates the First Amendment constitutional guarantee of "the freedom of speech," the district court's permanent injunction barring the ordinance's enforcement is affirmed where the ordinance does violate the constitution because it indiscriminately bans virtually all expressive activity in all of the City's median strips and thus is not narrowly tailored to serve the City's interest in protecting public safety.

Immigration Law

Liu v. Holder, No. 14-1159

In a petition for review of the Board of Immigration Appeals' (BIA) order dismissing petitioner's appeal from an Immigration Judge's (IJ) denial of his motion to rescind an in absentia removal order and motion to reopen removal proceedings, the petition is denied where there was no error in the proceedings of the IJ and the BIA.

Administrative Law, Education Law

Int'l Junior College of Business and Tech.. Inc. v. Duncan, No. 13-2547

In a suit under the Administrative Procedure Act (APA), 5 U.S.C. section 701, challenging the decision of the U.S. Department of Education (DOE) that plaintiff could not participate in certain federal student financial assistance programs because the school failed to comply with a requirement that for-private colleges derive at least 10 percent of their revenue from some source other than federal student aid, the district court's dismissal of claims is affirmed over plaintiff's claims that: 1) DOE regulations wrongly interpreted the 90/10 rule and/or arbitrarily and capriciously applied; 2) plaintiff should have been able to try to cure its default; and 3) the trial court erred by denying it the chance to conduct discovery.